

## REMARKS

As a preliminary matter, Applicant notes that current Claims 1-6 should be interpreted such that the heat treatment is performed after the application of the DC current. Independent Claim 1 has been amended to clarify this feature.

With regard to dependent Claims 2-5, Applicant appreciates the Examiner's indication that the subject matter of these claims is allowable, and that these claims would be allowed if amended into independent form. Applicant has added new independent Claim 7, which is a combination of the subject matter of original Claims 1 and 2; and Applicant has also added new dependent Claims 8, 9 and 10, which, respectively, define the same subject matter as original dependent Claims 3, 4, and 5. Applicant respectfully requests an indication of the allowance of new independent Claim 7 and associated dependent Claims 8-10.

Claims 1 and 6 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 7,023,645 to Emo et al. Applicant respectfully traverses this rejection.

Applicant respectfully submits that the Emo et al. reference fails to disclose all of the features of the claimed invention as defined in amended independent Claim 1. More specifically, the Emo et al. reference fails to disclose a method of manufacturing a magneto-resistance effect type head including the steps of "applying a predetermined DC current to deform the element portion thermally; and performing heat treatment on a deformed part of the element portion." In the invention defined in amended Claim 1, since the heat treatment

is performed on a deformed part, and that deformed part was created by applying DC current, the step of applying the DC current occurs before the step of performing heat treatment.

In contrast, in the method disclosed in the Emo et al. reference, the current creates the heat, and thus the step of applying DC current and the step of performing heat treatment are performed simultaneously. *See e.g.*, Emo et al., col. 5, lines 26 to 35; col. 7, lines 63-64. Accordingly, as all of the features defined in Claim 1 are not disclosed in the Emo et al. reference, Applicant respectfully requests the withdrawal of this §102(b) rejection of independent Claim 1 and associated dependent Claim 6.

For all of the above reasons, Applicant requests reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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August 6, 2007

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